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80. The antenna of Claim 78, wherein the at least two feedhorns are each capable of forming separate beams pointed respectively at at least two stratospheric transponder platforms

REMARKS

Claims 1-24 are pending in the above-identified patent application. The Examiner is thanked for the indication of allowability of Claims 4, 5, 9-19 and 22-24 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims have been accordingly rewritten and should now be allowable.

Claims 1-3, 6-8 and 20-21 are being rejected under 35 U.S.C. 103(a) as being unpatentable over Seligsohn (WO 95/04407) in view of Ames (USP 5,233,626).

The Examiner has correctly stated that the Seligsohn reference "fails to disclose communicating between the user terminal and at least two of the stratospheric platforms concurrently as recited in the claim". The Ames reference however does not cure the aforementioned deficiency in teaching of the Seligsohn reference and the combination of the two references neither teaches nor suggests these rejected claims. According to the Abstract of the Ames reference, for example, the repeater diversity spread spectrum communication system of Ames provides substantially fade free communications between a transmitter and a receiver by relaying a transmitted signal through a plurality of linear communications repeaters that produce copies of the transmitted signal, the copies each arriving through an independently fading signal path. The receiver processes the received signal copies to equalize them to one another in delay, frequency, and phase, and then combines the multiple received and equalized signal copies to produce a composite signal having a greatly reduced fading depth. This is totally different from the recitation of the rejected claims.

In Ames, copies of the same transmitted signal are received by the receiver after having been relayed by a plurality of linear communications repeaters. After processing as described by Ames, the receiver obtains a composite received signal. This is clearly different from the present invention. The combination of Seligsohn and Ames therefore neither teaches nor suggests Claims 1-3, 6-8, 20 and 21.

To further clarify the present system and method, independent claims 1, 6 and 20 have been herein amended to recite "separate communications signals". For support, see for example, page 5, lines 18-25. It is respectfully submitted that this is not a narrowing amendment since it is being made to clarify and not for substantial reasons related to patentability. Additionally, Claim 1, has been cosmetically amended by insertion of the word "the" to improve form.

New claims 25-80 are herein presented. These claims are fully supported by the original specification.

In view of the preceding remarks and changes, it is respectfully submitted that all of the claims presently pending in this application are allowable. Therefore, entry and consideration of this response, reconsideration of the rejections, and allowance are respectfully requested. If the Examiner feels that a telephone interview will advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney at the below-listed number.

Respectfully submitted,

By: Vijayalakshmi D. Duraiswamy
Vijayalakshmi D. Duraiswamy
Attorney for Applicants and Assignee
Registration No. 31,505

HUGHES ELECTRONICS CORPORATION
PATENT DOCKET ADMINISTRATION
Bldg. 001, M.S. A109,
P.O.Box 956, El Segundo, CA 90245-0956
PHONE: 310-662-9919

Cc: IDS, PTO Form 1449 and copies of references